

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

FILED
U.S. DISTRICT COURT
DISTRICT OF NEBRASKA

2019 DEC 10 PM 4:59

OFFICE OF THE CLERK

UNITED STATES OF AMERICA,

Plaintiff,

vs.

FELIPE HERNANDEZ MOLINA,

Defendant.

8:19CR 390

INDICTMENT

21 U.S.C. § 846

21 U.S.C. § 841(a)(1) & (b)(1)

18 U.S.C. § 924(c)(1)(A)

The Grand Jury charges that

COUNT I

Beginning on or about January 1, 2018, and continuing to on or about September 20, 2019, in the District of Nebraska, Defendant FELIPE HERNANDEZ MOLINA did knowingly and intentionally combine, conspire, confederate, and agree with other persons to distribute and possess with intent to distribute 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1).

Before FELIPE HERNANDEZ MOLINA committed the offense charged in this Count, he had a final conviction for a serious drug felony, namely, a conviction under Title 21, United States Code, Sections 841(a)(1) and 841(b)(1) for which he served more than 12 months of imprisonment and for which he was released from serving any term of imprisonment related to that offense within 15 years of the commencement of the instant offense.

In violation of Title 21, United States Code, Section 846.

COUNT II

On or about September 20, 2019, in the District of Nebraska, Defendant FELIPE HERNANDEZ MOLINA did knowingly and intentionally possess with intent to distribute 50 grams or more of methamphetamine (actual), its salts, isomers, and salts of its isomers, a Schedule II controlled substance.

Before FELIPE HERNANDEZ MOLINA committed the offense charged in this Count, he had a final conviction for a serious drug felony, namely, a conviction under Title 21, United States Code, Sections 841(a)(1) and 841(b)(1) for which he served more than 12 months of imprisonment and for which he was released from serving any term of imprisonment related to that offense within 15 years of the commencement of the instant offense.

In violation of Title 21, United States Code, Section 841(a)(1) and Title 21, United States Code, Section 841(b)(1).

COUNT III

On or about September 20, 2019, in the District of Nebraska, Defendant FELIPE HERNANDEZ MOLINA did knowingly use and carry a firearm, to wit: Ruger SR22 handgun, during and in relation to, and did knowingly possess such firearm in furtherance of, a drug trafficking crime for which Defendant may be prosecuted in a court of the United States, that is, the offenses described in Counts I and II.

In violation of Title 18, United States Code, Section 924(c)(1)(A).

COUNT IV

On or about September 20, 2019, in the District of Nebraska, Defendant FELIPE HERNANDEZ MOLINA did knowingly use and carry a firearm, to wit: Taurus PT 145

Millenium Pro .45 caliber handgun, during and in relation to, and did knowingly possess such firearm in furtherance of, a drug trafficking crime for which Defendant may be prosecuted in a court of the United States, that is, the offenses described in Counts I and II.

In violation of Title 18, United States Code, Section 924(c)(1)(A).

FORFEITURE ALLEGATION

1. The allegations contained in Counts I and II of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeiture pursuant to Title 21, United States Code, Section 853.

2. Pursuant to Title 21, United States Code, Section 853, upon conviction of an offense in violation of as set forth above in Counts I and II, Defendant(s) FELIPE HERNANDEZ MOLINA shall forfeit to the United States of America any property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such offense and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, the offense. The property to be forfeited includes, but is not limited to:

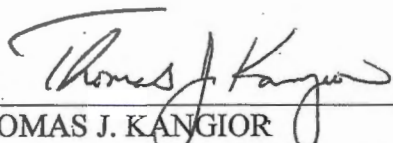
- a. United States currency seized from FELIPE HERNANDEZ MOLINA on or about September 19, 2019.

In violation of Title 21, United States Code, Section 853.

A TRUE BILL.

FOREPERSON

The United States of America requests that trial of this case be held in Omaha, Nebraska, pursuant to the rules of this Court.



THOMAS J. KANGIOR
Assistant United States Attorney